

2614
IFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/787,945
Filing Date: June 26, 2001
Applicant: Martin Bondo JORGENSEN
Group Art Unit: 2614
Examiner: Phylesha L. Dabney
Title: A HEARING AID ADAPTED FOR DISCRETE OPERATION
Attorney Docket: 45900-000569/US

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
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December 6, 2006

STATEMENT UNDER 37 C.F.R. § 1.133(b)

Sir:

In response to the telephonic interview conducted on November 14, 2006 and the Interview Summary dated November 29, 2006, the following remarks are respectfully submitted in connection with the above-identified application.

Interview Summary

On November 14, 2006, a telephonic interview was conducted between the Examiner and Applicant's representative, Daniel Podhajny (Reg. No. 57,687), in which the difference between "headphones" and "hearing aids" was discussed. Applicant argued the position that headphones and hearing aids are two distinct species within a genus of hearing or acoustic

devices in general. Examiner Dabney was receptive to Applicant's position, and agreement was reached with regard to the allowability of all claims.

CONCLUSION

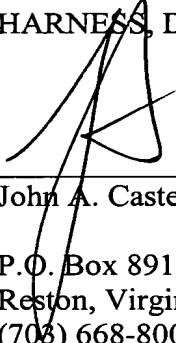
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact the undersigned at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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JAC/DAP:psy